



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

STEVE DIPRESSI,

Plaintiff,

vs.

SHENIESE CULVER,

Defendant.

CASE NO. CV 13-8956- UA (DUTYx)

ORDER SUMMARILY REMANDING
IMPROPERLY-REMOVED ACTION

The Court will remand this unlawful detainer action to state court summarily, because it was removed improperly.

On December 4, 2013, Defendant Sheniese Culver, having been sued in what appears to be a routine unlawful detainer action in a California state court, lodged a Notice Of Removal of that action to this Court and also presented an application to proceed *in forma pauperis*. The Court has denied the latter application under separate cover, because the action was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court.

There is no basis for concluding that this unlawful detainer action could have been brought in federal court in the first place, and therefore, removal is improper. 28 U.S.C. § 1441(a); *see Exxon Mobil Corp v. Allapattah Svcs., Inc.*, 545 U.S. 546, 563, 125 S.Ct.

1 2611, 162 L.Ed.2d 502 (2005). The amount in controversy does not exceed the diversity
2 jurisdiction threshold of \$75,000. *See* 28 U.S.C. §§ 1332, 1441(b). On the contrary, the
3 unlawful detainer complaint expressly alleges that the amount demanded does “not exceed
4 \$10,000.” Nor does Plaintiff’s unlawful detainer action raise any federal legal question.
5 *See* 28 U.S.C. §§ 1331, 1441(b).

6 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the Superior
7 Court of California, Los Angeles, 42011 4th Street West, Lancaster, CA 93534, for lack
8 of subject matter jurisdiction pursuant to 28 U.S.C. § 1447(c); (2) that the Clerk send a
9 certified copy of this Order to the state court; and (3) that the Clerk serve copies of this
10 Order on the parties.

11 IT IS SO ORDERED.

12
13 DATED: 12/13/13

14
15 
16 _____
17 GEORGE H. KING
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28